

Amendments to the Drawings:

The attached drawing sheet includes changes to Figure 2. In Figure 2, text descriptions for rectangular boxes (210, 220, 230, 240, and 250) have been added.

REMARKS/ARGUMENTS

In the Office Action of December 5, 2008, claims 1-6, 10-12, 14-18, and 22-25 are rejected. Claims 7-9, 13 and 19-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Additionally, the specification and the drawings are objected to. In response, claims 1, 10, 11, 14-16, 18, 22 and 23 have been amended. Applicant hereby requests reconsideration of the application in view of the claim amendments and the below-provided remarks.

Allowable Subject Matter

Applicant appreciates the Examiner's review of and determination that claims 7-9, 13 and 19-23 recite allowable subject matter. In particular, the Office Action stated that claims 7-9, 13 and 19-23 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

At this time, Applicant chooses not to rewrite claims 7-9, 13 and 19-23. Instead, Applicant respectfully asserts that the pending claims are allowable based on the claim amendments and the remarks below.

Objection to the Specification

The specification is objected to because various sections of the specification are not labeled with the appropriate section heading. Applicant notes that the section headings are not required in the guidelines set forth in the MPEP 608.01(a) and, hence, Applicant respectfully declines to amend the specification to include the indicated section headings.

Objection to the Drawings

The drawings are objected to because Figure 2 contains rectangular boxes whose meanings are unclear. In response, text descriptions for rectangular boxes (210, 220, 230, 240, and 250) have been added. Support for the text descriptions for rectangular boxes

(210, 220, 230, 240, and 250) is found at Applicant's specification, for example, page 5, lines 21-24 and page 6, lines 6-9 and 13-17. Thus, Applicant respectfully requests that the objections to the drawings be withdrawn.

Claim Rejections under 35 U.S.C. 112

Claims 11, 14, 15, 22 and 23 are rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, the Office Action states that the term "the sense circuit" recited in claim 11 lacks antecedent basis. In response, claim 11 has been amended to replace the term "the sense circuit" with the term "a sense circuit."

Additionally, the Office Action states that the term "the output register" recited in claim 14 lacks antecedent basis. In response, claim 14 has been amended to be dependent on claim 13.

The Office Action states that the phrase "the enable register is adapted to mask the data read from the plurality of magnetically-responsive circuit nodes with the data stored in the enable register" recited in claim 15 lacks antecedent basis. In response, claim 15 has been amended to replace the above-identified phrase with the phrase "the enable register is adapted to mask data read from the plurality of magnetically-responsive circuit nodes with data stored in the enable register."

The Office Action also states that the term "a selected degree of randomness" recited in claims 22 and 23 is a relative term, which renders claims 22 and 23 indefinite. In response, claims 22 and 23 have been amended to replace the term "a selected degree of randomness" with the term "randomness."

Thus, Applicant respectfully requests that the claim rejections under 35 U.S.C. 112 be withdrawn.

Applicant notes herein that claims 1, 10, 16 and 18 have also been amended to correct minor informalities.

Double Patenting Rejection

Claims 1-3 and 16 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as allegedly being unpatentable over claims 1-3 of copending Application No. 10/538,457. Applicant notes herein that the alleged double patenting rejections will be addressed at a later time, assuming that these rejections are still applicable.

Claim Rejections under 35 U.S.C. 103

Claims 1-3, 5, 16-18 and 24-25 are rejected under 35 U.S.C. 103(a) as allegedly being obvious over Benson et al. (U.S. Pat. No. 7,054,162, hereafter “Benson”) in view of Surya et al. (U.S. Pat. No. 6,477,335, hereafter “Surya”). Claims 4, 6 and 10-12 are rejected under 35 U.S.C. 103(a) as allegedly being obvious over Benson in view of Surya further in view of Chateau et al. (U.S. Pat. No. 7,299,358, hereafter “Chateau”). As described above, claims 11, 14, 15, 18, 22 and 23 have been amended. Applicant respectfully submits that the pending claims 1-25 are patentable over Benson, Surya and Chateau for the reasons provided below.

Independent Claims 1, 10, 16 and 18

Claim 1 recites in part “*an integrated circuit chip having circuitry therein including a plurality of magnetically-responsive nodes adapted to store bits.*” The Office Action on page 8 states that a substrate (104) described in the cited reference of Benson is an integrated circuit chip having circuitry. The Office Action then apparently suggests replacing the resistive sensor incorporated in the substrate (104) and the cover for detecting tampering disclosed by Benson with the identification system disclosed by Surya. However, the substrate (104) described in Benson is not an integrated circuit chip. Thus, even if the system of Benson is modified with the identification system disclosed by Surya in the manner suggested in the Office, the resulting system would not include “*an integrated circuit chip having circuitry therein including a plurality of magnetically-responsive nodes adapted to store bits*” as recited in claim 1. Accordingly, Applicant respectfully submits that the independent claim 1 is not obvious in view of Benson, Surya and Chateau.

Claims 10, 16 and 18 include similar limitations to claim 1. Because of the similarities between claims 10, 16 and 18 and claim 1, Applicant respectfully asserts that the remarks provided above with regard to claim 1 apply also to claims 10, 16 and 18. Accordingly, Applicant respectfully submits that the independent claims 10, 16 and 18 are not obvious in view of Benson, Surya and Chateau.

Dependent Claims 2-9, 11-15, 17 and 19-25

Claims 2-9 depend from and incorporate all of the limitations of the independent claim 1. Thus, Applicant respectfully asserts that claims 2-9 are allowable at least based on an allowable claim 1.

Claims 11-15 depend from and incorporate all of the limitations of the independent claim 10. Thus, Applicant respectfully asserts that claims 11-15 are allowable at least based on an allowable claim 10.

Claim 17 depends from and incorporates all of the limitations of the independent claim 16. Thus, Applicant respectfully asserts that claim 17 is allowable at least based on an allowable claim 16.

Claims 19-25 depend from and incorporate all of the limitations of the independent claim 18. Thus, Applicant respectfully asserts that claims 19-25 are allowable at least based on an allowable claim 18.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amendments and remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,

Carl J. Knudsen

Date: February 13, 2009

By: /thomas h. ham/

Thomas H. Ham

Reg. No. 43,654

Wilson & Ham

PMB: 348

2530 Berryessa Road

San Jose, CA 95132

Phone: (925) 249-1300

Fax: (925) 249-0111